

REMARKS

The Final Office Action mailed May 13, 2009 considered claims 40-75. Claims 40-57, 59-62, 67-69 were rejected under 35 U.S.C. 103(a) as being unpatentable over Keller et al. (US 2004/0049509) hereinafter *Keller* in view of Ahlstrom et al. (US 6,418,468) hereinafter *Ahlstrom*. Claim 64, 65, and 66 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Keller* in view of *Ahlstrom* and further in view of Pham et al. (US 5,524,253) hereinafter *Pham*. Claims 70-73 were rejected under 35 U.S.C. 103(a) as being unpatentable over Giel et al. (US 2002/0169738) hereinafter *Giel* in view of Kaltenmark et al. (US 7,415,509) hereinafter *Kaltenmark*. Claim 58 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Keller* in view of *Ahlstrom* and further in view of Eager et al. (US 5,960,200) hereinafter *Eager*. Claims 63 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Keller* in view of *Ahlstrom*, *Eager* and further in view of Bondarenko et al. (US 2004/0083479) hereinafter *Bondarenko*. Claims 74 and 75 were rejected under 35 U.S.C. 103(a) as being unpatentable by Hellerstein et al. (US 2002/0129356) in view of *Keller* and further in view of *Ahlstrom*.¹

Applicant respectfully traverses these rejections at least because the cited references do not disclose each feature recited in the claims. Nevertheless, Applicant has amended claim 1 to recite, among other things, "a standardized configuration store that stores persisted information associated with settings for each of a plurality of instances of an application," that "the persisted information being isolated according to a unique namespace for each instance," and that "each unique namespace for each instance of the application is derived from each of the following: a name of the application, a version of the instance of the application, a language of the instance of the application, a deployment id for the instance of the application, a process architecture for the instance of the application and a public key token of the instance of the application."

In contrast, while *Keller* briefly mentions an instanceID mentioned in paragraph [0129], *Keller* does not disclose any persisted information associated with application settings that is isolated according to this instanceID. Moreover, *Keller* does not disclose that this instanceID is "derived from each of the following: a name of the application, a version of the instance of the

¹ Although the prior art status of the cited art is not being challenged at this time, Applicant reserves the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

application, a language of the instance of the application, a deployment id for the instance of the application, a process architecture for the instance of the application and a public key token of the instance of the application," as recited in claim 1.

Accordingly, claim 1 is allowable. The other independent claims have been amended in a manner substantially similar to claim 1 and are therefore allowable at least for substantially the same reasons as claim 1. The dependent claims are allowable for at least the same reasons as the independent claims from which they depend.

In view of the foregoing, Applicant respectfully submits that the other rejections to the claims are now moot and do not, therefore, need to be addressed individually at this time. It will be appreciated, however, that this should not be construed as Applicant acquiescing to any of the purported teachings or assertions made in the last action regarding the cited art or the pending application, including any official notice. Instead, Applicant reserves the right to challenge any of the purported teachings or assertions made in the last action at any appropriate time in the future, should the need arise. Furthermore, to the extent that the Examiner has relied on any Official Notice, explicitly or implicitly, Applicant specifically requests that the Examiner provide references supporting the teachings officially noticed, as well as the required motivation or suggestion to combine the relied upon notice with the other art of record.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at (801) 533-9800.

The Commissioner is hereby authorized to charge payment of any of the following fees that may be applicable to this communication, or credit any overpayment, to Deposit Account No. 23-3178: (1) any filing fees required under 37 CFR § 1.16; and/or (2) any patent application and reexamination processing fees under 37 CFR § 1.17; and/or (3) any post issuance fees under 37 CFR § 1.20. In addition, if any additional extension of time is required, which has not otherwise been requested, please consider this a petition therefore and charge any additional fees that may be required to Deposit Account No. 23-3178.

Dated this 13th day of August, 2009.

Respectfully submitted,



RICK D. NYDEGGER
Registration No. 28,651
MICHAEL B. DODD
Registration No. 46,437
Attorneys for Applicant
Customer No. 47973

RDN:MBD:crb
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